

APR - 7 2021

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLEClerk, U. S. District Court
Eastern District of Tennessee
At Knoxville

UNITED STATES OF AMERICA,

)

Plaintiff,

)

v.

BERNARD A. WALKER, JR. [REDACTED]

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Defendants.

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No. 3:21-CR- 46

JUDGES Crytzer / Poplin

INDICTMENTCOUNT ONE

The Grand Jury charges that, on or about January 31, 2021, in the Eastern District of Tennessee, the defendant, BERNARD A. WALKER, JR., knowing that he had previously been convicted of a crime punishable by a term of imprisonment exceeding one year, did knowingly possess a firearm, and the firearm has been shipped and transported in interstate commerce, in violation of Title 18, United States Code, Section 922(g)(1).

COUNT TWO

The Grand Jury further charges that, on or about January 31, 2021, within the Eastern District of Tennessee, the defendant, [REDACTED] in connection with the acquisition of firearms, namely a FNH Model FNS-9 9mm semi-automatic pistol bearing serial number GKU0075627, and a Smith & Wesson Model M&P 9mm semi-automatic pistol bearing serial number HSC7202, from Mike's Gun Room, a licensed dealer of firearms within the meaning of Chapter 44, Title 18, United States Code, knowingly made a false and fictitious written statement in executing a Department of Justice, Bureau of Alcohol, Tobacco, Firearms, and Explosives Form 4473, Firearms Transaction Record, to the effect that [REDACTED] was the actual buyer of the

firearm indicated on the Form 4473, when in fact, as the defendant then knew, [REDACTED] was not the actual buyer of the firearm; in violation of Title 18, United States Code, Sections 922(a)(6) and 924(a)(2).

FIREARM FORFEITURE ALLEGATIONS

1. The allegations contained in Count One and Count Two of this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeiture pursuant to Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c).

2. Upon conviction of the offense in violation of Title 18, United States Code, Section 922(g)(1) and/or Section 922(a)(6) and 924(a)(2) as set forth in this Indictment, the defendants, BERNARD A. WALKER, JR. and [REDACTED] shall forfeit to the United States pursuant to Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c), any firearms and ammunition involved in or used in the commission of the offense, including but not limited to a FNH Model FNS-9 9mm semi-automatic pistol, a Smith & Wesson Model M&P 9mm semi-automatic pistol, and 9mm ammunition seized from Bernard A. Walker, Jr. and [REDACTED]

3. If any of the property described above, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty,

the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c).

A TRUE BILL:

SIGNATURE REDACTED

C GRAND JURY FOREPERSON

FRANCIS M. HAMILTON III
ACTING UNITED STATES ATTORNEY

A. S. Kirk
ALAN S. KIRK
Assistant United States Attorney